

TOWN OF TURTLE
PLANNING COMMISSION MEETING MINUTES
SEPTEMBER 19, 2007 7:00PM

- 1) **CALL TO ORDER:** The meeting was called to order by Chairperson Roger Anclam. The Pledge of Allegiance was said.
- 2) **ROLL CALL/QUORUM CALL:** Roll was taken, Commission members present included; Don Jones, Vice Chair, Mike Schaefer, Bill Walter, Shelly Hahn, Dan Oldenburg, and Roger Anclam. Absent; Bill Kutz. Also present were Town Attorney, Bill Henderson and Zoning Administrator Mike Birkholz.
- 3) **APPROVAL OF AGENDA:** Dan Oldenburg made a motion to approve the agenda as presented. Mike Schaefer seconded the motion. The motion carried.
- 4) **CITIZEN QUESTIONS/COMMENTS:** None
- 5) **ZONING ADMINISTRATOR REPORT:** Mike Birkholz reported that he had issued 3 building permits, 1 electrical permit and 1 fence permit.
 - a) **Hart and Lathers Violation – Gander:** Mike Birkholz reported that as of September 17, 2007 that the Gander property was in compliance with the allowable number of large animals per acre with 12 head of cattle.
 - b) **Huebbe Pkwy – Reed:** Mike Birkholz reported that a complaint was issued about the property at 2411 of noise and operating a business. Mike said that he went to the site on August 8, 2007 and saw 2 forklifts, 2 cars and tools in the outbuilding. Mike reported that he saw no signs for a business.

Roger Fleener, 2313 Huebbe Pkwy, said that he had observed 4 or 5 fork lifts delivered to the Reed property.

Matt Miller, 2306 Huebbe Pkwy, mentioned that the variance obtained for the outbuilding states it is for storage.

Eric Reed, 2411 Huebbe Pkwy, explained that he was up front about the intentions for the building, that he is a mechanic and drag races, and that his full time job he fixes fork lifts, and he intends to use the outbuilding to work on cars and fork lifts. Mr. Reed said that he has fixed a few and sold them. Mr. Reed said that he had gone to his direct neighbors and none of them had any issues with the property. Mr. Reed asked at what point is anything considered a business?

Roger Anclam read the definition of an in home occupation, within the ordinance book. The Commission determined and Roger Anclam informed Mr. Reed that if he is operating a business then he needs to cease at once or he could be cited by the Town for violation of the ordinance. If Mr. Reed wants to operate a business there, he would have to apply for a conditional use permit.
- 6) **COMMISSION COMMENTS:** Don Jones asked for email addresses from all of the Commission members for communication purposes.

Don Jones thanked Bill Henderson for information on spot zoning.

Roger Anclam suggested the Commission using an Event Calendar, or a software program like Outlook to keep track of follow up.

- 7) **APPROVAL OF MINUTES:** Don Jones made a motion to approve the minutes as presented. Shelly Hahn seconded the motion. The motion carried. Don Jones requested that in addition to listing the members present, the members absent be listed also.

8) **UNFINISHED BUSINESS:**

a. **Terrapin Acres Subdivision - Tom Straub:** Ron Combs, Combs and Associates, presented an updated map of the preliminary subdivision plat. A letter from the Town's Engineer, Tom Nee, R.H. Batterman with points of interest were addressed and were included in the updated plat map.

Mr. Combs included that Mr. Straub is in the process of setting up a Homeowner's Association, that will specify the maintenance of water retention ponds and outlots. There was question about the application. The application was submitted and the fee has been paid.

Dan Oldenburg made a motion to continue the matter to the October meeting. Don Jones seconded the motion. Roll call vote; Don Jones, yes; Mike Schaefer, yes; Bill Walter, yes; Dan Oldenburg, yes; Shelly Hahn, yes; Roger Anclam, yes. The motion carried.

b. **Certified Survey Map:** Roger Anclam explained that after some research, there is not a Certified Survey Map of the Town property – 6916 S. County Road J – Since there have been changes to the zoning and the property with construction of the Community Center, Highway Shop and Cellular Tower, the Commission feels that there should be a Certified Survey Map and record of it at the County.

Don Jones made a motion to recommend to the Town Board to obtain a Certified Survey Map and record with the County. Mike Schaefer seconded the motion. Roll call vote; Roll call vote; Don Jones, yes; Mike Schaefer, yes; Bill Walter, yes; Dan Oldenburg, yes; Shelly Hahn, yes; Roger Anclam, yes. The motion carried.

c. **Rock Energy Cooperative – Conditional Use Permit:** Bill Henderson provided the conditions for the Conditional Use Permit granted August 15, 2007. The Commission requested that a guard rail be placed at the north side of the substation, as one of the conditions.

Mike Shaefer made a motion to approve the conditions with the addition of the guardrail. Bill Henderson will make a final draft of the conditions. Don Jones seconded the motion. Roll call vote; Don Jones, yes; Mike Schaefer, yes; Bill Walter, yes; Dan Oldenburg, yes; Shelly Hahn, yes; Roger Anclam, yes. The motion carried.

9) **NEW BUSINESS:**

a) **Land Division, Land Combination – Dan & Pam DeLong:** Don Jones presented the information from the applications, and explained the parcels locations and intentions for the end result. The land division involves a 4.5 acre parcel (lot#3), being divided from a 69.7 acre parcel owned by DeLong. The land combination combines the 4.5 acre division to a 12.2 acre parcel (lot#2) owned by DeLong. The party interested in purchasing the combined parcel is also purchasing a 15.3 acre parcel (lot#1) that is land locked. The intention is to combine the two parcels to create one parcel of approximately 32 acres. Driveway easement has been approved to follow the Delong parcel line with access on County J.

Don Jones made a motion to approve the application for the Land Division as presented to release land locked parcels. Dan Oldenburg seconded the motion. Roll call vote; Don Jones, yes; Mike Schaefer, yes; Bill Walter, yes; Dan Oldenburg, yes; Shelly Hahn, yes; Roger Anclam, yes. The motion carried.

Bill Walter made a motion to approve the Land Combination application and combine lots 2 and 3 into one parcel. Shelly Hahn seconded the motion. Roll call vote; Don Jones, yes; Mike Schaefer, yes; Bill Walter, yes; Dan Oldenburg, yes; Shelly Hahn, yes; Roger Anclam, yes. The motion carried.

b) DISCUSS IMPACT FEE ORDINANCE- PURPOSE / INTENT:

Bill Henderson provided information on a proposed Impact Fee Ordinance. Mr. Henderson explained that the Town has to decide what the fees will be for. The Town has about \$29,000 that needs to be dedicated. The Town needs to do a needs assessment to determine the best place for the funds to be dedicated. This matter was carried over to the next Planning Commission Meeting in October.

c) PLAT BOOKS FOR COMMISSION: The Commission decided to obtain a CD with the plat maps for each Commission member. Large plat maps for each member was also suggested. Both are available through the Real Property Department at the County.

10) ADJOURNMENT: Shelly Hahn made a motion to adjourn at 9:30 p.m. Mike Schaefer seconded the motion. The motion carried.

Respectfully submitted;

Jenniffer Julseth
Deputy Clerk/Treasurer